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10/725,048	12/01/2003	Malin E. Holcomb	100993.00005	2976
26710	7590	05/03/2006	EXAMINER	
QUARLES & BRADY LLP 411 E. WISCONSIN AVENUE SUITE 2040 MILWAUKEE, WI 53202-4497			EDELL, JOSEPH F	
			ART UNIT	PAPER NUMBER
			3636	

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Please find below and/or attached an Office communication concerning this application or proceeding.

## **SUPPLEMENTAL EXAMINER'S ANSWER**

This is in response to the reply brief filed 21 February 2006 responding to the Examiner Answer mailed 12 January 2006.

### **Response to Argument**

1. In response to Appellant's arguments regarding the "scarf" limitation of claim 9 of Chew, Examiner contends that these arguments detract from the central issue of whether the teachings of Chew anticipated independent claim 1 of the instant application. Claim 1 of the instant application merely requires that the a cushion include "a body which stretches and contracts to conform to alteration of the curvature of the shell." Examiner's position is that this is a broad limitation. Whether Chew teaches that the cushion is scarfed such that cushion sections are jointed together or chamfered together, both interpretations read on the limitation of clam 1. Claim 1 is so broad that virtually any compression or stretching of a seat back cushion would read on this claim. For example, any cushion, whether in one piece, two pieces, or five pieces, will conform to the alteration in curvature of a seat back whenever a user leans against the seat back shell causing the shell to bend. This simple movement by the user causing the cushion to compress will meet the limitation of claim 1.


With respect to Diagram B in the Examiner Answer mailed 12 January 2006, Diagram B is utilized to illustrate that the cushion of Chew stretches and contracts to conform to alteration of the shell's curvature when the wings move relative to the back panel.

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2. In addition, Appellant argues that the limitation of dependent claims 6, 14, and 19 that the cover is "of stretchable material" is not taught by Chew because a cloth cover is not inherently stretchable. Appellant is interpreting this limitation too narrowly by requiring considerable stretching. Claims 6, 14, and 19 do not require substantial stretching. Cloth is not merely stretchable on a microscopic level but is stretchable as interpreted by one of ordinary skill in the art.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Joe Edell



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